

Legal Department

RECEIVED-DOCKETING DIV

2007 FEB 21 PM 5: 22

PUCO

February 21, 2007

American Electric Power 1 Riverside Plaza Columbus, OH 43215

AEP.com

Steven T. Nourse Senior Counsel – Regulatory Services (614) 716-1608 (P) (614) 716-2014 (F)

stnourse@aep.com

The Honorable Alan R. Schriber, Chairman Public Utilities Commission of Ohio Ohio Power Siting Board 180 East Broad Street Columbus, OH 43266-0573

Re: Construction Notice, Case No. 06-1488-EL-BNR (Bixby-Marion 138kV Line Re-Conductoring)

## Dear Chairman Schriber:

On January 12, 2007, the Staff of the Ohio Power Siting Board (OPSB Staff) issued a Staff Investigation Report and Recommendation in this proceeding. Condition #5 of the Report and Recommendation states that the re-conductoring project "may proceed only if approval is granted for the related relocation project described in Case No. 06-1489-EL-BLN." This relocation project is on the same line as the re-conductoring project. Condition #5 goes on to explain that a new BNR case for re-conductoring the portion of line over the mobile home park must be submitted separately and approved prior to commencement of construction if the related relocation project is not approved.

Because AEP worked with the Village of Obetz to reach agreement on a modified relocation route, we agreed to file a new BLN (Case No. 07-99-EL-BLN) and withdraw the prior case involving the old route (Case No. 06-1489-EL-BLN); that re-filing based on AEP's cooperative efforts to satisfy an affected community caused the proceedings for these two related projects to be on different timelines. Although Condition #5 generally makes approval of the re-conductoring project contingent on approval of the relocation project, it would appear that one of the underlying concerns related to that portion of the line associated with the relocation. Because AEP has planned outages and worked to coordinate outside contractors on the re-conductoring project in order to commence construction on March 2, 2007, AEP would like to commence construction on the segment of line west of the LSII substation (apart from the segment involving the relocation project). Accordingly,

The Honorable Alan R. Schriber, Chairman February 21, 2007 Page 2

AEP requests that Condition #5 be clarified or, if necessary, modified to permit commencement of construction on the western portion of the re-conductoring project on March 2, 2007.

Subject to approval of this clarification or modification, this letter also serves as notice of commencement of construction on March 2, 2007, as required by OAC 4906-5-02(A)(5).

Thank you for your attention to this matter.

Sincerely,

Steven T. Nourse

cc: Jon Pawley, OPSB Staff